



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

RECENT CASES

CARRIERS—LOSS OF BAGGAGE—LIMITATION OF LIABILITY.—*HARRIS v. SOUTHERN RY. Co.*, 85 S. E. (S. S.) 158.—The Interstate Commerce Commission requires notices of rates and charges filed with it by the railroads to be placed in the stations. *Held*, although no such notice was posted by the defendant, an interstate passenger checking a trunk without specifying its value can recover no more than the amount limited in the schedule in case of its destruction.

As early as 1838, it was held by the Supreme Court of New York that a common carrier could not excuse himself from liability by public notice. *Hollister v. Nowlen*, 19 Wend. (N. Y.) 234; *Cole v. Goodwin*, id. 251. But a common carrier could at common law limit his liability by express contract. *Swindler v. Hilliard*, 2 Rich. (S. C.) 286; *Bernard v. Adams Ex. Co.*, 205 Mass. 254. Acceptance of a ticket or bill of lading containing a limitation provision, has been held to constitute assent to the limitation by the passenger or shipper accepting the same. *Carr v. Tex. & Pac. Ry.*, 194 U. S. 427; *Schaller v. Chicago & N. W. Ry.*, 97 Wis. 31. Some states, however, require the actual consent of the shipper or passenger to the limitation. *Black v. Atlantic Coast Line*, 82 S. C. 478; *Plaff v. Pac. Express Co.*, 251 Ill. 243. The more recent decisions show that if a railroad has filed rates and charges with the Interstate Commerce Commission, there need be no actual knowledge or assent by the passenger to limit the carrier's liability. *L. & N. Ry. v. Miller*, 156 Ky. 677; *Barstow v. N. Y., N. H. & H.*, 143 N. Y. S. 983; *Boston & Maine v. Hooker*, 233 U. S. 97 (Pitney dissenting). The holding in the principal case goes further than the latter cases, in that it allows the limitation of liability even though the defendant had not posted schedules in its stations as required by the Interstate Commerce Commission.

S. H. S.

CONSTITUTIONAL LAW—14TH AMENDMENT—POLICE POWERS—SEGREGATION ORDINANCE.—*HARRIS v. CITY OF LOUISVILLE*, 177 S. W. (Ky.) 472.—*Held*, an ordinance which provided for the segregation of races in the city of Louisville, and which contained a clause providing that nothing therein should affect present vested rights, was a valid exercise of the police powers, and not contrary to the 14th amendment of the Constitution of the United States.

The preservation of public health and safety is often made in express terms a matter of municipal duty. 1 *Dillon, Municipal Corporations*, §144. The State may give to the municipal corporation the general power to pass ordinances in regard to public welfare. *Pool v. Trexler*, 76 N. C. 297. §2783 of the Ky. Statutes provides that "the General Council shall have power to pass, for the government of the city, any ordinance not in conflict with the constitution of the U. S., the constitution of Ky. and the statutes thereof." In *Munn v. Illinois*, 94 S. 113, Mr. Chief Justice Waite, in referring to police powers, said, "Under these powers the government regulates the conduct of its citizens, one toward another, and the manner in which each shall use his own property when such regulation becomes